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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

FRANCIS SHANE, MICHAEL WILBON,
JOHNNY HOUSTON, SHAWN THOMAS,
YAHTEK JOHNSON, RONELLE
ANTHONY,

Defendants.

No. 23-CR-52 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The Court is in receipt of Defendant Shane's Motion to Dismiss Count 7 of the Indictment, which Defendants Wilbon and Thomas have joined. The Court is aware of two cases pending before the Second Circuit, *United States v. Hussain (Barrett)*, 21-1379 and *Harris v. Unites States*, 21-2636, that may bear on the resolution of the motion. The parties are thus ordered to advise the Court by Friday, December 1st of their positions as to whether the Court should wait to decide the instant motion until after the Circuit has decided one or both of the pending appeals.

SO ORDERED.

Dated: November 3, 2023
New York, New York



Ronnie Abrams
United States District Judge